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FISCAL IMPACT STATEMENT

LS 7374

BILL NUMBER: HB 1575

NOTE PREPARED: Feb 15, 2005

BILL AMENDED: Feb 10, 2005

SUBJECT: Retired Law Enforcement Officers' Identification.

FIRST AUTHOR: Rep. Walorski

FIRST SPONSOR: Sen. Waterman

BILL STATUS: As Passed - House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires state and local law enforcement agencies to issue annually to their retired law enforcement officers a photographic identification. It allows a retiring member of the Arson Division of the Office of the State Fire Marshal to retain the member's service weapon and requires the office to issue the retiring member a badge and an identification card. It requires a retired law enforcement officer who carries a concealed firearm under federal law to obtain annually, at the officer's expense, an endorsement or certification that the officer meets the training and qualification standards to carry that type of firearm. The bill provides that an entity that provides the endorsement or certification is immune from civil or criminal liability for providing the endorsement or certification.

Effective Date: (Amended) Upon passage; July 1, 2005.

Explanation of State Expenditures: (Revised) *Photographic Identification for Retired Officers.* Requiring state law enforcement agencies to issue annually to their retired law enforcement officers a photographic identification plus an annual endorsement or certification that the officer meets the training and qualification standards to carry the firearm will increase expenses to the state. With respect to state agencies, a "law enforcement officer" means a state police officer; an investigator for a prosecuting attorney; a conservation officer; an enforcement officer of the Alcohol and Tobacco Commission; or an arson investigator employed by the Office of the State Fire Marshal. An estimated 1,000 retirees from state law enforcement agencies could possibly require a photo identification and a certificate. Costs to state agencies will depend on the costs of the equipment necessary to produce photo identification as well as the personnel needed to take the photographs and whether this service is centralized for the state or available through a state contract with outside vendors. The State Police will also incur some expense associated with additional training, costs for ammunition, and

targets. Additional information from the other state agencies will be provided when it becomes available. The bill provides that the retired officer bears any expense associated with obtaining the evidence that the retired officer meets training and qualification standards.

Arson Division Service Weapons at Retirement. The bill provides that when a member of the Arson Division retires after at least 20 years of service, the office must:

- (1) Allow the member to retain the service weapon the office issued to the member.
- (2) Issue the member a badge that indicates the member is a retired member of the Arson Division of the Office of the State Fire Marshal.
- (3) Issue the member an identification card that contains the name of the office and the division; the name of the member; the member's position title; the fact that the member is retired; and that the member is authorized to retain the service weapon issued by the office.

As of November 2004, the Arson Division had 4 staff with over 20 years of service. Members are issued two handguns and a shotgun, but the 40 Glock, which costs about \$400, is considered to be the service weapon. The division has 13 staff, including 2 secretaries. The overall fiscal impact, though not expected to be significant, will depend on the number and years in which investigators retire.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) A local law enforcement officer means a police officer, sheriff, constable, marshal, or prosecuting attorney or a deputy of any of those persons; or an investigator for a prosecuting attorney. The bill provides that after June 30, 2005, all law enforcement agencies must issue annually to each person who has retired from that agency as a law enforcement officer a photographic identification. In addition to the photographic identification, after June 30, 2005, a retired law enforcement officer who carries a concealed firearm must obtain annually, for each type of firearm that the retired officer intends to carry as a concealed firearm, evidence that the retired officer meets the training and qualification standards to carry that type of firearm. Standards would be set by the retired officer's law enforcement agency.

The impact of this proposal will depend on the number of retired officers and the means by which the local agencies obtain the documentation, purchase photo identification, and whether additional training is necessary. The bill provides that the retired officer bears any expense associated with obtaining the evidence that the retired officer meets training and qualification standards.

Explanation of Local Revenues:

State Agencies Affected: State Police, DNR, Alcohol and Tobacco Commission, Office of the State Fire Marshal.

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Steve Hillman, ISP; State Personnel Staffing Report; Mara Synder, Office of the State Fire Marshal, 233-5341.

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